

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL J. ZUEGE, JR.,

Plaintiff,

v.

ORDER

09-cv-451-slc

DANIEL KNOCH, ROBERT LAZORIK,
WISCONSIN PATIENT COMPENSATION
FUND, UW HOSPITALS AND CLINICS,
BAUSCH AND LOMB INC
and DOE DEFENDANTS,

Defendants.

On August 17, 2009, this court entered an order granting plaintiff's request for leave to proceed *in forma pauperis* on his Eighth Amendment and state law negligence claims against defendants Knoch and Lazorik, and on his state negligence claims against defendants UW Hospitals and Clinics and Wisconsin Patient Compensation Fund. (In the same order, plaintiff was given until September 4, 2009, in which to submit a proposed amended complaint that includes allegations against defendants Bausch and Lomb, Inc. and John Does because his original complaint contained no allegations against them. Plaintiff has not yet filed a proposed amended complaint.) Pursuant to an informal service agreement between the Attorney General's office and this court a copy of plaintiff's complaint was sent to the Attorney General for service on the defendants. The Attorney General's office has accepted service of plaintiff's complaint on behalf of defendants Knoch and Lazorik and declined to accept service on behalf of defendants Wisconsin Patient Compensation Fund and UW Hospitals and Clinics.

The next step is for plaintiff to complete marshals service and summons forms and return them to the court so that the United States Marshal can serve plaintiff's complaint on defendants Wisconsin Patient Compensation Fund and UW Hospitals and Clinics. I am

including a copy of the forms with this order. Plaintiff will have two weeks to complete the forms and return them to this court.

ORDER

IT IS ORDERED that plaintiff Michael Zuege may have until September 9, 2009, in which to complete the enclosed Marshals Service and summons forms and return them to the court so that his complaint may be served on defendants Wisconsin Patient Compensation Fund and UW Hospitals and Clinics. If, by September 9, 2009, plaintiff fails to complete the forms and return them to the court, his claims against defendants Wisconsin Patient Compensation Fund and UW Hospitals and Clinics will be subject to dismissal for failure to prosecute.

Entered this 26th day of August, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge